

Roesler and Padon Road

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**RIGHT-OF-WAY DONATION DEED**

**Date:** 1-23-2024, 2024

**Grantor:** BRIANNE L. DYLLA, (aka Brianne Dylla),  
a married woman

**Grantor:** MITCHELL SLATE DYLLA,  
a married man

**Grantors' Mailing Address:**

6626 Crown Oak Court  
Richmond, Texas 77469

**Grantee:** FORT BEND COUNTY, TEXAS  
a political subdivision of the State of Texas

**Grantee's Mailing Address:**

c/o County Judge  
401 Jackson Street  
Richmond, Texas 77469

**Grantee's Authority:** Fort Bend County, Texas, acting by and through the Fort Bend County Commissioners Court, is authorized under the Section 81.032 of the Texas Local Government Code to accept donations of property for the purpose of performing a function conferred by law on the County. Fort Bend County, Texas, acting by and through the Fort Bend County Commissioners Court, is also authorized under Section 252.019 of the Texas Transportation Code to accept donations of property to aid in building or maintaining roads in the County.

**Consideration:** Ten and 00/100 Dollars (\$10.00) and other valuable consideration.

**Property (including any improvements):** Being 1.6989 acres of land, more or less, in the H. & T. C. R.R. Company Survey, Section 41, Abstract No. 225, Fort Bend County, Texas, being that same 1.6989 acres dedicated for public right-of-way purposes of Roesler and Padon Road, according to the map or plat thereof recorded under Clerk's File No. 20220155 of the Official Public Records of Fort Bend County, Texas; said 1.6989 acres of land being more particularly described by metes and bounds attached hereto as Exhibit "A" and incorporated by reference for all intents and purposes (the "Property").

**Reservations from Conveyance:** Grantee is not acquiring herein, and there is reserved to Grantors and Grantors' heirs, successors, and assigns, all rights, if any, in and to the oil, gas, sulphur, uranium, fissionable materials, and other minerals in and under the surface of the Property acquired in this conveyance; provided, however, that Grantee, Fort Bend County, is acquiring all surface rights of any kind to or on the Property. The acquisition of such surface rights shall not prevent the owners of any mineral estate, interest, or lease from extracting all oil, gas, sulphur, uranium, fissionable materials, and other minerals from under such Property by directional drilling or other means, so long as no part of the surface of the Property is used or affected.

**Exceptions to Conveyance:** This conveyance is made and accepted subject to any and all valid covenants, easements, and outstanding mineral and/or royalty interest in the oil, gas, and other minerals, now outstanding or affecting the Property herein conveyed, now of record in the County Clerk's Office of Fort Bend County, Texas, but only to the extent they are still in force and effect.

The purpose of this conveyance is to donate to Fort Bend County, Texas, a portion of the right-of-way for Roesler Road and Padon Road (collectively, the "roadway facility") for public use and enjoyment as and for a public street or road, together with the electrical power and telecommunications, gas, water, sanitary, and storm sewer lines constructed thereunder (if any), and is executed by Grantors and accepted by Grantee subject to the terms, conditions, and provisions hereof.

Grantors hereby acknowledge that the Property herein conveyed shall become a part of a roadway facility and that Grantors' use of and access to the roadway facility shall be and forever remain subject to the same regulation by legally constituted authority as applies to the public's use thereof, and Grantors further acknowledges that the design and operation of such roadway facility may require that rights of ingress and egress and the right of direct access to and from Grantors' remaining property (if any) to said roadway facility shall hereafter be governed by the provisions set out in Exhibit "B" attached hereto and incorporated by reference for all intents and purposes; SAVE AND EXCEPT in the event access, or access points may be specifically allowed or permitted in said Exhibit "B", such access shall be subject to such regulation as is determined by Fort Bend County, Texas, or the applicable municipality, if any, to be necessary in the interest of public safety and in compliance with approved engineering principles and practices and subject to compliance with any applicable state, local municipal, or county zoning, platting, and/or permit requirements.

Grantors, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, GRANT, GIVE, and CONVEY to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors, and assigns forever. Grantors bind Grantors and Grantors' successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the Property or any part thereof.

If current ad valorem taxes on the Property have not been prorated at the time of closing, Grantor and Grantee shall be responsible for payment of its respective share thereof based on period of ownership. Grantee, as a governmental entity, shall be responsible for applying and perfecting any exemption for which it is entitled relating to period of ownership.

Executed on the date of the acknowledgment herein below taken, to be effective as of the date above.

**GRANTOR**

Brianne L. Dylla

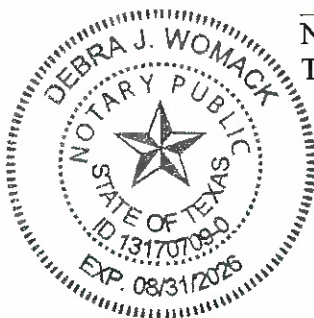
BRIANNE L. DYLLA, (aka Brianne Dylla),  
a married woman

**Acknowledgement**

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 25<sup>th</sup> day of January, 2024,  
by Brianne L. Dylla (aka Brianne Dylla).



Debra J. Womack  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

**GRANTOR**


  
\_\_\_\_\_  
MITCHELL SLATE DYLLA,  
a married man

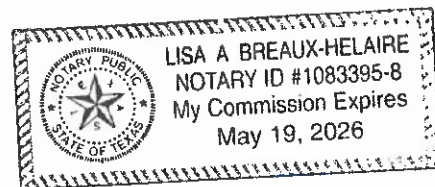
**Acknowledgement**

THE STATE OF TEXAS §

COUNTY OF Fort Bend §

This instrument was acknowledged before me on the 23 day of January, 2024,  
by Mitchell Slate Dylla.

  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



**ACCEPTED:**

**GRANTEE:**

**FORT BEND COUNTY, TEXAS,**  
a political subdivision of the state of Texas

\_\_\_\_\_  
KP George,  
County Judge

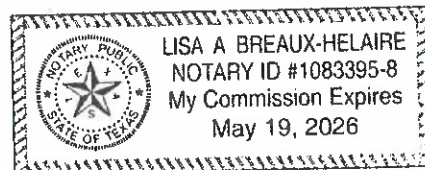
**Acknowledgement**

THE STATE OF TEXAS           §

COUNTY OF FORT BEND       §

This instrument was acknowledged before me on the 23 day of January, 2024,  
by KP George, County Judge of Fort Bend County, Texas, a political subdivision of the state of  
Texas, on behalf of Fort Bend County, Texas

Lisa A. Breaux-Helaire  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



After Recording Please Return To:  
Fort Bend County Engineering Dept.  
301 Jackson St., 4<sup>th</sup> Floor  
Richmond, Texas 77469

# **EXHIBIT A**

(Metes and Bounds Follow Behind)

October 25, 2023

***1.6989 acres of land in the H. & T.C. R.R. Company Survey, Section 41, Abstract No. 225, Fort Bend County, Texas***

A FIELD NOTE DESCRIPTION of a 1.6989 acre tract of land in the H. & T.C. R.R. Company Survey, Section 41, Abstract No. 225, Fort Bend County, Texas, being that same 1.6989 acres dedicated for public right-of-way purposes of Roesler Road and Padon Road, as shown on the map or plat recorded in Plat No. 20220155 of the Fort Bend County Plat Records, also being out of a 10.98 acre tract of land conveyed to Brianne L. Dylla., as recorded in Fort Bend County Clerk's File No. 2021094554; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a point in the intersection of said Roesler Road and said Padon Road for the south corner of said H. & T.C. R.R. Company Survey, Section 41, Abstract 225, for the west corner of the H. & T.C. R.R. Company Survey (G. Hilbert Survey), Section 46, Abstract 475, for the north corner of the H. & T.C. R.R. Company Survey, Section 47, Abstract 228, being the north corner of an adjoining called 1.333 acre tract conveyed to Gayla Marie Schmidt Miller, as recorded in Volume 1714, Page 101 of the Fort Bend County Deed Records, for the east corner of the adjoining H. & T.C. R.R. Company Survey (F. Forster Survey), Section 40, Abstract 470, being the east corner of an adjoining called 39.983 acre tract conveyed to Byron James Miller, as recorded in Volume 2399, Page 292 of the Fort Bend County Deed Records, and for the south corner of Dylla Ranch Estates, according to the map or plat recorded in Plat No. 20220155 of the Fort Bend County Plat Records; from which a mag nail found bears North 10° 48' 35" East – 1.18 feet;

THENCE, North 47° 59' 45" West – 442.24 feet with the southwest line of said Section 41, with the northeast line of said Section 40, and with the southwest line of said Dylla Ranch Estates to a point for the south corner of a 10.24 acre tract of land conveyed to Valli Ribbeck, as recorded in File No. 2021091096 of the Fort Bend County Deed Records, for the west corner of said Dylla Ranch Estates, and for the west corner of this tract;

THENCE, North 42° 00' 26" East with the southeast line of said 10.24 acre tract and with the northwest line of said Dylla Ranch Estates, at a distance of 25.00 feet pass a 5/8-inch iron rod with cap stamped "Jones Carter" found and continuing for a total distance of 50.00 feet to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for the west corner of Lot 1, Block 1, of said Dylla Ranch Estates and for a north corner of this tract;

THENCE, South 47° 59' 45" East – 367.24 feet with the southwest line of said Lot 1 to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for an angle point of this tract;


THENCE, North 87° 00' 21" East - 35.36 feet with the south line of said Lot 1 to a 5/8-inch iron rod with cap stamped "McKim & Creed" set for an angle point of this tract;

THENCE, North 42° 00' 26" East - 1,006.65 feet with the southeast line of said Block 1 to 5/8-inch iron rod with cap stamped "McKim & Creed" set in the southwest line of an 11.95 acre tract of land conveyed to Troy Allen Mills and Chelsea E. Mills, as recorded in Fort Bend County Clerk's File No. 2021113537 for the east corner of Lot 5 of said Dylla Ranch Estates and for a north corner of this tract;

THENCE, South 47° 59' 45" East with the southwest line of said 11.95 acre tract and with the northeast line of said Dylla Ranch Estates, at a distance of 20.00 feet pass a 5/8-inch iron rod with cap stamped "Jones Carter" found and continuing for a total distance of 50.00 feet to a point in the southeast line of said Section 41 and in the northwest line of said Section 46 for the south corner of said 11.95 acre tract, for the east corner of said Dylla Ranch Estates, and for the east corner of this tract;

THENCE, South 42° 00' 26" West - 1,081.65 feet with the southeast line of said Section 41, with the northwest line of said Section 46, and with the southeast line of said Dylla Ranch Estates to the POINT OF BEGINNING and containing 1.6989 acres of land.

COMPILED BY:  
MCKIM & CREED  
Engineers, Surveyors, Planners  
Stafford, Texas  
Firm Registration No. 10177600  
Job No. 08637-0001  
Y:\legals\08637-0001\_ROW.docx

  
Robert Chris Kelly  
Registered Professional Land Surveyor  
State of Texas No. 6833





# **EXHIBIT B**

Access is permitted to the Roadway Facility from the remainder of Grantors' abutting property.